

REMARKS

In paragraph 1) of the Office Action, the drawings are objected to under 37 C.F.R. 1.83(a) for failure to show every feature of the invention as specified in the claims. Applicants have supplied a replacement sheet appended hereto in compliance with 37 C.F.R. § 1.121(d). FIG. 3 is the only figure appearing on the replacement sheet. The amendments made to FIG. 3 are made pursuant to the request made by the Office Action. In particular, the replacement sheet for FIG. 3 highlights the voltage distribution line connection for p-type transistors 310 and the voltage distribution line connection for n-type transistors 320. Applicants direct the Examiner to paragraph [0034] of the instant application as amended herein, for the supportive discussion of the n-well and p-well bias techniques contemplated by Applicants as of the filing date of the instant application.

Paragraph [0034] of the instant application provides support for amended FIG. 3, since it is stated that "during high frequency operation, a high bias voltage is applied to the n-well region and a low bias voltage is applied to the p-well region. During low frequency operation, a low bias voltage is applied to the n-well region and a high bias voltage is applied to the p-well region." Thus, Applicants contemplated, as of the filing date of the instant application, that the voltage distribution line, may also include the reference voltage distribution line, e.g., ground.

Claims 1-26 remain for consideration. All claims are thought to be allowable over the cited art.

The rejection of claims 20-26 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement is respectfully traversed. The application is thought to provide an enabling disclosure for the claims to those skilled in the art. This objection is respectfully traversed because, the Office Action fails to present a proper *prima facie* case of enablement. M.P.E.P. §2164.04 indicates that the Examiner has the initial burden to establish a reasonable basis to question the enablement provided for the claimed invention. *See, e.g., In re Wright*, 999 F.2d 1557, 1562, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993) (examiner must provide a reasonable explanation as to why the scope of protection provided by a claim is not

adequately enabled by the disclosure.) The Office Action does not give a reasonable explanation as to why the disclosure is deficient other than to say that “the details of such functions are not seen in the description of the preferred embodiment.”

Applicants invite the Examiner to review, for example, paragraphs [0026] and [0027] of the instant application, particularly with respect to configuration memory cell 220 and multiplexer 213 of FIG. 2. A discussion relating to an exemplary operation of DLL 200 at first and second frequencies may be found, which is supportive of Applicants' claimed invention. In addition, Applicants invite the Examiner to review paragraphs [0017] and [0030]-[0033], particularly with respect to FIGs. 4 and 5 and the selection of the required delay, e.g., D_{C2} and D_{C3} , as selected by, e.g., DLL 200 of FIG. 2. Therefore, the claims are enabled by the disclosure, and the rejection should be withdrawn.

The rejection of claim 9 under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is respectfully traversed. The claim language objected to by the Office Action has been amended to include a limitation previously held to be definite. The term "substantially" has been held to be definite in view of the general guidelines contained in the specification. (See M.P.E.P. § 2173.05(b) citing *In re Mattison*, 509 F.2d 563, 184 USPQ 484 (CCPA 1975); specification paragraph [0024]).

The Office Action fails to establish that claims 1-6, 8, 9, and 15 are unpatentable under 35 USC §103(a) over “Park” (US patent no. 6,275,079 to Park) in view of “Hyland” (US patent no. 6,788,119 to Hyland et al.). Applicants traverse the rejections.

Hyland is thought to not qualify as prior art under 35 USC §103(c). The present application was filed on 11/21/2003 and *before* Hyland issued as a patent, and the present application and Hyland were, at the time the invention of the present application was made, owned by or subject to assignment to Xilinx, Inc. Therefore, the rejection of claims 1-6, 8, 9, and 15 is moot and should be withdrawn.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met:

1) the prior art reference (or references when combined) must teach or suggest all the claim limitations;

2) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; and

3) there must be a reasonable expectation of success. (M.P.E.P. §2142).

Thus, in view of the disqualification of Hyland and the Office Action's admission as to Park's deficiency, the Office Action has failed to establish a *prima facie* showing of obviousness as to at least criteria 1). As such, Applicants respectfully submit that claims 1-6, 8, 9, and 15 are allowable over the combination of Park and Hyland. Furthermore, even if Hyland is not disqualified as a prior art reference, the Examiner has only provided conclusory remarks about what is basic knowledge or common sense to one of ordinary skill in the art and thus fails as to criteria 2) above.

The Office Action fails to establish that claim 7 is unpatentable under 35 USC §103(a) over Park in view of Hyland, as applied to claims 1, 2, and 5, and further in view of "Krishnamurthy" (US patent no. 6,271,713 to Krishnamurthy). Applicants traverse the rejection. As discussed above, Hyland is disqualified as prior art. Since Krishnamurthy is not relied upon to remedy Park's deficiency as admitted by the Office Action, Krishnamurthy must be shown to teach or reasonably suggest that "the delay control circuit adjusts delay of the delay elements of the primary delay line in response to the at least one configuration memory cell" as recited in Applicants' Claim 1. Since the Office Action fails to show that the combination teaches or reasonably suggests that "the delay control circuit adjusts delay of the delay elements of the primary delay line in response to the at least one configuration memory cell" as recited in claim 1, Applicants submit that the combination of Park and Krishnamurthy fails to establish a *prima facie* showing of obviousness against claim 1 for at least criteria 1) above.

Dependent claim 7 includes all of the limitations of claim 1 and any intervening claims, and recites additional features which further distinguishes claim 7 from the combination of Park and Krishnamurthy. Therefore, dependent claim 7 is also allowable over the combination of Park and Krishnamurthy.

The Office Action does not show that claims 1, 2 and 10-15 are unpatentable under 35 USC §103(a) over "Dortu" (US patent no. 6,252,443 to Dortu et al.) in view of Park and in further view of Hyland. Applicants traverse the rejection. As discussed above, Hyland is disqualified as prior art. Dortu, as admitted by the Office Action, fails to teach a "delay control circuit [to adjust] delay of the delay elements of the primary delay line in response to the at least one configuration memory cell" as recited in claim 1.

As discussed above, the Office Action admits to Park's deficiency as to Park's failure to teach "[adjusting] delay of the delay elements of the primary delay line in response to the at least one configuration memory cell". Thus, since the combination of Dortu and Park share the same deficiency, the combination of Dortu and Park fails to establish a *prima facie* showing of obviousness as to criteria 1) above. Applicants respectfully submit, therefore, that claim 1 is allowable over the combination of Dortu and Park.

Claims 2 and 10-15 depend from independent claim 1 and are also rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Dortu, Park and Hyland. While Applicants do not acquiesce to any particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent claim 1. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2 and 10-15 are also allowable over the combination of Dortu, Park, and Hyland.

The Office Action does not establish that claims 16-18 are unpatentable under 35 USC §103(a) over the admitted prior art (APA), Fig. 1, in the present application, in view of Park. Applicants traverse the rejections. Applicants' amended claim 16 sets forth "a voltage selection circuit coupled to the at least one configuration memory cell, the voltage selection circuit being responsive to the at least one configuration memory cell for selectively coupling the first voltage terminal or the second voltage terminal to the voltage distribution line". As discussed above, the Office Action admits to Park's failure to teach using a memory cell as a control signal of a multiplexer. Accordingly,

Applicants' FIG. 1 in combination with Park fails to establish a *prima facie* case of obviousness as to criteria 1) above. Applicants respectfully submit, therefore, that Claim 16 is allowable over the combination of Applicants' FIG. 1 in view of Park.

Claims 17-18, which depend from independent Claim 16, are also rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Applicants' FIG. 1 and Park. While Applicants do not acquiesce to any particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent Claim 16. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent Claims 17-18 are also allowable over the combination of Applicants' FIG. 1 and Park.

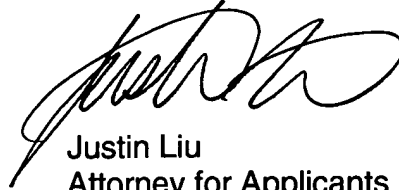
The Office Action does not establish that claim 19 is unpatentable under 35 USC §103(a) over the admitted prior art (APA), Fig. 1, in the present application, in view of Park, as applied to claims 16 and 17, and further in view of Krishnamurthy. Applicants traverse the rejection.

Amended claim 16 sets forth at least "a voltage selection circuit coupled to the at least one configuration memory cell, the voltage selection circuit being responsive to the at least one configuration memory cell for selectively coupling the first voltage terminal or the second voltage terminal to the voltage distribution line". As discussed above, the Office Action admits to Park's failure to teach using a memory cell as a control signal of a multiplexer. Thus, since Krishnamurthy is not relied upon by the Office Action to remedy Park's deficiency, then the combination of Krishnamurthy and Park suffers from the same deficiency. Dependent Claim 19 includes all of the limitations of amended claim 16 and any intervening claims, and recites additional features which further distinguish claim 19 from the combination of Applicants' FIG. 1, Park and Krishnamurthy. Therefore, dependent Claim 19 is also allowable over the combination of Applicants' FIG. 1, in view of Park and further in view of Krishnamurthy.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

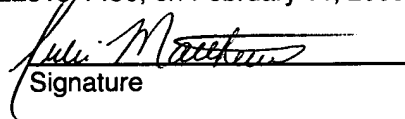
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on February 11, 2005.

Julie Matthews
Name


Signature

AMENDMENTS TO THE DRAWINGS

A replacement sheet for FIG. 3 is included herewith.